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1910), affecting even the employment contract, wage payment, and employers' liability.

The last chapter discusses the regulation of private employment agencies in the United States and the pessimistic conclusion is reached that Uncle Sam is far behind on all the requisites of a good law. Three charts show comparative legislation on this important subject.

Interesting and valuable as the several studies are, one regrets that they were not condensed and combined, if possible, with Miss Whittelsey's earlier study so as to give a comprehensive survey, historical and critical, of labor legislation and administration in Massachusetts. Such a volume is much needed, and this would have afforded the opportunity to write it.

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**Phillipson, Coleman.** *The International Law and Custom of Ancient Greece and Rome.* Two vols. Pp. xl, 840. Price, \$6.50. New York: Macmillan Company, 1911.

Our text-books teach us that there was no international law properly so called recognized by the ancient nations. Foreign policy there was and each state observed ill-defined usages, but obligation of states there was none, at least none between states of different race. Religion rather than international law was the influence which worked for observance of interstate compacts. Greece was a group of city states and Rome acknowledged no equality of other states—which is the prerequisite of real international law. The most that can be claimed is that in the ancient societies there was a large number of customs which time was to see appropriated and adapted to serve the purposes of the community of states when it was later to make its appearance.

Mr. Phillipson would have us dismiss these beliefs. He insists there is an ancient international law, truly juridical in character which has been overlooked by previous writers and to a large extent inaccessible until in recent years historic research placed a mass of new materials at the disposal of the student. His two large volumes show exhaustive search of the materials. He has used the literature of Greece and Rome to corroborate the practice he finds described in historical material. The customs of Greece and Rome are subject to constant comparison to show the extent to which each accepted the principles under discussion.

After the introductory chapters discussing the extent to which the Greeks and Romans recognized an international law, the burden of the first volume is the relation of these two states to foreigners, especially the rights granted the domiciled alien, the naturalization of foreigners, the conflict of personal and territorial law principles and the right of asylum. The last chapter in the first and the entire second volume deal with public international law exclusively. Treaties, negotiations, embassies, balance of power, arbitration, war and maritime law are treated with great detail.

No one who reads these volumes can fail to recognize that they show accepted practices among the ancients which approach much nearer to what

we now call international law than is generally recognized. The discussion of embassies and war rules and arbitration is especially valuable on this account and will necessitate the revision of many of the sweeping statements of our texts. But on the whole in spite of Mr. Phillipson's array of facts the statement that the ancients had no true international law does not seem to be upset. One cannot escape the feeling that at many points the author's enthusiasm leads him too far. The war-rules he discusses, for example, though they approach the standard of later practice, are rules which the Roman would not have been willing to admit were binding upon him by any code of rules applying to states.

One feels that the argument would be stronger if the line were drawn more closely between the references to history and the references to literature. The combat of Paris and Menelaus and the refusal of Ilus to give Odysseus poison for his arrows can scarcely be relied upon as evidence or illustrations of a generally accepted standard of international relations.

The author's painstaking search for material has led him through Greek, Latin, French, Italian and German authors. The numerous quotations in the text are as a rule either given in translation or in the original followed by an English translation. To have adopted the same plan for all quotations including those in the footnotes would have made the discussion more available to many of those who will be interested in these volumes.

Mr. Phillipson's book is in a field new to English authors. His general thesis is well maintained—the ancients did have customs applying to international relations to a much greater degree than we have been wont to recognize, but whether these usages are settled and general to an extent that would justify calling them real international law, many readers will still doubt.

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**Richman, I. B.** *California under Spain and Mexico, 1535-1847.* Pp. xvi, 541. Price, \$4.00. Boston: Houghton, Mifflin Company, 1911.

The student of American history should feel greatly indebted to Mr. Richman for this book. Nowhere can the history of California be found so well told, in compact form, as here. The book indicates conscientious labor on the part of the author in preparing for his work; skill in condensing so much valuable information into small compass; and enthusiasm in telling the interesting story. The make-up of the book is pleasing, the maps, charts and plans are excellent. The translation of such documents as the "Galvez Report" and the "Fages Journal," the numerous quotations from sources in the text and in the notes should be appreciated by students.

The book has the merit of freshness because of the amount of new material used in its preparation. The author has written his book at a time when he has been able to avail himself of recently found documents and new monographs along special lines. This enables him to make more definite and complete statements on controverted points than was possible in previous works on the subject. The book rests so firmly on the source material that